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A NARRATIVE

OF THE

CELEBRATED DYDE SUPPER.

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A

NARRATIVE

OF THE

CELEBRATED DYDE SUPPER.

BY THE

EDITOR AND PROPRIETOR

OF THE

NEW-YORK MORNING POST AND MORNING STAR.

NEW-YORK:

PRINTED FOR THE AUTHOR.

1811.

INTRODUCTION.

" Who is here so base, he does not love his country ;
" If any, speak, for him have I offended.—
" Who's here so vile, he would not be a freeman ;
" If any, speak, for him have I offended !"

WHEN we first sat down to narrate the events accompanying the DYDE SUPPER, we expected to go through with an exposition of it, in five or six pages ; but advancing we found circumstances, which at first appeared to carry but little importance with them, were, by their consequences, more interesting to the community than we had imagined ; involving, not only the rights of the people, but the very stability of our republican form of government.—We must, therefore, be permitted to beg the particular attention of our fellow citizens, to the points which we have thought it our duty to treat of : and we hope that a part of the community called " Republican," who have heretofore ranked among the number of thoughtless and inattentive spectators of passive events, will deem it their duty to begin to reflect : more especially as a subject is

presented to them of a magnitude which may affect their political and social happiness. The investigation must necessarily involve the honour and respectability of the republican party. We trust, therefore, that men who have heretofore permitted others to think for them, will now commence thinking for themselves. A crisis has arrived, which will put to the test the professions of men avowing republican principles—which must determine the sincerity of the maledictions so bountifully bestowed by them upon the heads of despots; or whether they were exclusively meant for such despots as *they* were not permitted to create; whether they acted justly towards Mr. BURR, when they tore into "shreds and patches" both his moral and political reputation, and forced him upon deeds of desperation, because they believed from a combination of suspicious acts, that he had endeavoured to supplant Mr. JEFFERSON as president of the *United States*, and pile upon the head of another individual official honours, influence and rewards, notwithstanding the act by which he bargained away the rights, liberties, and even reputation of every one ranking himself a republican, with as much indifference as a petty German Prince would barter away his subjects. Thus adopting as a part of their political creed, the slavish doctrine that the *King can do no wrong*, and that King Ahasuerus must be obeyed in all things *for the writing which is written in the King's name and sealed with the King's seal may no man reverse.*

A NARRATIVE

OF THE

CELEBRATED DYDE SUPPER.

IN the Morning Post of Saturday, the 22d December, we gave certain gentlemen an intimation that we should lay before the public a history of the celebrated UNION SUPPER. We shall now in performance of our promise, give a simple and correct narrative, so far as we had any thing to do with it. When Mr. Dyde removed hither from Long-Island, he was introduced to us by a distinguished person in this city as a gentleman who had once lived in affluence in London; but by a succession of misfortunes had suffered nearly the entire loss of his property. That Mr. D. was in politics a republican, and had taken at a very heavy rent the hotel belonging to Mr. Marshall, adjoining the Theatre, and depended for the future support of his family upon his success in this new line of life—that it would oblige him, and materially serve Mr. Dyde, if the republican party would patronize his undertaking. Solicitous to serve a man so recommended,

we mentioned the affair to the late editor of the American Citizen, who readily offered to do every thing in his power for the benefit of Mr. Dyde. We suggested to Mr. C. that it might answer that end, if a number of our political friends would dine at his house immediately after his opening of it—that this would in a great measure tend to its establishment by making it known. Mr. C. acquiesced in the idea, and we agreed to mention it to some of the party, a number of whom were spoken to upon the subject, who all thought it a meritorious effort, under such circumstances, to assist Mr. D. and agreed to dine with us at his house. Before a sufficient number, however, had been waited upon, Mr. C. informed us that he had some agreeable intelligence to communicate, which he had received from a distinguished and mutual friend. This was, that the friends of Mr. Burr, who then amounted to some thousands, in the state, and many of whom had been eminent and useful republicans, had proposed upon our agreeing to a *single* condition, that they would return to our ranks and unite with us as aforetime. This condition was simply that *Mr. B. should be permitted to return to this city, open his office as Counsellor at Law, and that no political notice should be taken of him on our part.* Mr. B. it was conceived was so completely prostrated that he could excite no political fears, the proposition was deemed so liberal, that it ought to ensure an immediate compliance, and it was presumed a refusal might forever estrange from us all his friends, and evince towards him a spirit of unfeeling persecution. This information we considered as of the most cheering nature, and rejoiced at it

accordingly. The succeeding evening we called to see Mr. De Witt Clinton, and mentioned to him what Mr. Cheetham had communicated, he replied that the information was *correct*, that his friend had given it to Mr. C. according to the *fact*, and that the friends of Mr. Burr desired nothing more than what Mr. Cheetham had mentioned. We then informed Mr. Clinton what we had contemplated doing for Mr. Dyde, and it occurring to us that an opportunity of serving him to some purpose was now offered, we observed to Mr. Clinton that this unexpected union of so many old friends, who had been separated for so long a time, ought to be celebrated in some way or other; and as we had proposed dining at Mr. Dyde's, it would be well to invite them to unite with us in the dinner and drink a mutual forgetfulness of past differences. Mr. Clinton, without suggesting a single objection, replied, that so many old friends uniting upon a condition so unexceptionable and honourable to the party, was a subject of great congratulation, leaving to be drawn the very natural inference that the thing proposed was by no means disagreeable to him.

In a day or two after our conversation with Mr. Clinton he left this city for Albany to take his seat in the Senate of this state. A very short time after, the late Mr. Cheetham, Silvanus Miller, a gentleman whose name it is not material to mention at present, for whom we have ever entertained the highest esteem, and ourselves, rode together a few miles out of town to look at some lands which were offered for sale. On our way Mr. Miller, who is always the first to get into a

scrape, and not very *nice* about the means of getting out of one, introduced the subject of the return of Mr. Burr's friends to the republican party, and observed that the event ought to be celebrated, as we might now be certain of carrying every thing before us in our contest with Gov. Lewis. Mr. M. spoke of our meditated dinner at Mr. Dyde's, and thought it adviseable to invite the leading friends of Mr. Burr in this city, to join with us, to the end that all differences might thenceforth cease. Mr. Cheetham appeared anxious for it, and suggested that instead of a dinner we should have a supper, and that it should take place the next evening. It was agreed that a supper was best, and the remaining difficulty was who should give the necessary invitations. Mr. —— said he could not make it convenient to do it—Mr. Cheetham observed that his time was taken up during the day with his paper—Silvanus had so many *weighty* concerns to attend to that he could spare no time for it, and as *we* had no apology to make, the trouble devolved upon us, which, however, understanding the facts to be as we have already stated, was rather a pleasing one.—This affair settled, the conversation immediately changed to something else. We wish the reader to bear in mind that this introduction of the union by Mr. Miller, and its proposed celebration followed almost directly upon the heels of what had passed between his honour and us upon the same subject. We shall see in the sequel how dextrously Mr. M. effected his escape from the vengeance of the republican party. To proceed, the next day arrived and we lost no time in calling upon Doct. Peter Irving, and stating to him

what had passed the day before, observed, that understanding all difficulties had been satisfactorily adjusted, it would be a very agreeable thing if he and his friends would join us in the contemplated supper. Dr. Irving expressed himself pleased with the proposal, and volunteered his services to give on his part the necessary invitations, but thought it best to defer it until Messrs. Clinton and Swartwout's return, that one might act as President, and the other as Vice-President of the feast. He acquiesced, however, upon our mentioning to him that there were difficulties in the way of a postponement, as Mr. Dyde was getting every thing ready for the entertainment. During the day, he conferred with Mr. Pierre C. Van Wyck, as we were informed upon the subject of the supper.

Dr. Irving having agreed to invite his friends, it became our duty to call upon ours, that the invitations might be as general as the short interval of time would admit; some we saw in person, and some we invited by letter. In the evening sixty-five gentlemen of both parties met at Mr. Dyde's. A stranger who had witnessed the fraternal hugs and shaking of hands, would indeed have concluded it was a joyous and happy meeting. Every face wore a smile, and every eye was moistened by the recollection of old friendships. We viewed the Burr-Party as so many Prodigal Sons, who had returned to their Father's dwelling full of sorrow for their former follies; and yet we cannot but allow that it appeared strange to us that so many men, some of whom were gentlemen of distinguished talents, should so suddenly abandon Mr. Burr, and

virtually acknowledge, by their conduct, that they had been weak enough to have been made his dupes. At an early hour Mr. Dyde announced that supper was upon the table, and a magnificent one it was.—The arrangements of President and Vice-President being made, the UNION party sat down to table, and after the glass had gone briskly round, Col. Smith called upon Dr. Irving for a toast, who gave—

THOMAS JEFFERSON, *the President of the United States.*

A similar call was soon after made, and his Excellency, GEORGE CLINTON, was drank. A third followlowed, and Dr. Irving gave—

AARON BURR, *late* VICE-PRESIDENT *of the* UNITED STATES—DIGNIFIED *in the chair*—PROMPT *in the cabinet*—GALLANT *in the field—may his* COUNTRY *duly appreciate his* TALENTS *and his* SERVICES.

Six cheers was moved for by some one present, but whom we do not recollect. The company arose, but the friends of Mr. BURR seemed to have all the sport to themselves, for excepting Silvanus Miller, and two or three more, the rest all stared at each other with the wildness of persons suddenly awakened out of a dream. Our friend, Mr. Naphtali Judah, who appeared to have the coolest head present, looked *blank*, and was off like a *shot*. He perceived that this was likely to turn out but a bad *Lottery*, and got rid of his share of it in a trice. This toast seemed very unlike the *single* condition that Mr. CLINTON had spoken of, and which

influenced those whom we had invited to attend the supper. If it had been true as was represented by Mr. C. that we were simply to refrain from attacking Mr. Burr, it was very strange that the company should be called upon by one of his most intimate friends so highly to eulogize him. These reflections occurred to us, but we were embarrassed at the moment and knew not what to do. After a little more of Mr. Dyde's *London Particular*, Dr. Irving gave the following toast:—

De Witt Clinton, *a firm and virtuous Republican.*

Which was drank with nine cheers.

Let us state to our readers that the foregoing toasts were all read from a written paper, and were doubtless prepared for the occasion during the day by the friends of Mr. Burr, who had a better knowledge of the nature of the alleged conciliation than most of us were permitted to know any thing about. Some of the friends of Mr Clinton being now called upon, Mr. Silvanus Miller, who it is probable knew the whole secret of the union, gave the following toast:

A union *in principle* and a union of HONEST MEN.

By this time we felt prepared to drink forgiveness to every thing human, whether Savage, Sage or Turk: and Col. Few, who had been as innocently led to the

Political *bridal feast*, as a lamb to the *slaughter-house*, gave—

Peace on Earth, and good will to all Mankind.

Soon after this, each man left the room in the best manner possible, and it is related much to their credit, that not one among them, found their way to the "watch-house."

The Republican party not feeling quite so much good will towards all mankind as Col. Few, were the next day up in arms; strict search was every where made for the conspirators, but for some time none could be found. Hearing that Silvanus had reiterated AARON BURR's celebrated toast, they went in pursuit of him, but the "Sylvan Swain" was not to be seen; where he had secreted himself, no one can tell, but doubtless the place of his retreat must have been extremely neat and cleanly, as this gentleman's predilection for purity both of person and mind is well known. At length he made his appearance, obliged we presume by "hunger, and request of friends," that he would endeavour to put a plausible face on the business and bring them off in some way or other; and when some of our exasperated Republicans found out this friend of *honest men*, who is now a chief writer for the Columbian, and who ought to have been hanged ten years since *for his bad verses*, they pounced upon him like so many birds of prey. Silvanus vowed to Heaven that no *lamb* was ever more innocent than he; that he should never had gone to the "cursed" supper but for that "damn'd"

Rose, and would undertake to get "twelve good and lawful men within his bailiwick" to swear to the same thing. This, together with the miserable appearance of the poor culprit, moderated their anger in some degree, and they left the Sylvan mourner rather more composed than they had found him. A committee was appointed for the preparation of resolutions to be passed at a general meeting of the Republicans, then about to be called—as God would have it, Nathan Sanford was one of the committee, who being a man of mercy, was moved with compassion for our situation; and considering too that most of us had families, and that our wives and children could not well afford to let us die yet, did every thing in his power to moderate the fury of the party; and through his humane efforts, God bless him for it, we were all permitted to escape with our lives. The resolutions being agreed upon, the following notice appeared in the American Citizen, on the morning of the 25th of February, 1806.

"*REPUBLICANS ATTEND!*

☞ A General Meeting of the Republican Citizens is requested at Martling's THIS EVENING, the 25th instant, a 7 o'clock, on matters of great importance to their reputation and interest."

In the evening thousands assembled, boiling with indignation; and when the resolutions which had been previously prepared by the committee were read, it was scarcely possible to restrain the anger of the populace upon finding them as they imagined so much too

mild for the occasion: finally, however, they were adopted, and that our readers may have an entire view of the subject, we republish the following proceedings of the evening:

"At a general meeting of the Republican Citizens unusually numerous, convened at Martling's Long Room, on Tuesday evening, Feb. 25th, 1806, in consequence of various reports and publications, tending to induce a belief, that a coalition or re-union had been formed between the Republican party in this state and the *Burrites*, derogatory to the honor and interest of the Republicans.

THOMAS FARMAR, in the chair.
ICHABOD PRAL., Secretary.

Resolved, That it is inconsistent with the honor and dignity of the Republican party in this state, to enter into any bargain, treaty, or alliance with any other party whatever.

Resolved, That it would not only be degrading to us, but injurious to the Republican interest, silently to submit to what any *person* or *persons*, may attempt to do unauthorized by the great body of Republicans.

Resolved, That this meeting do not acknowledge the proceedings of a meeting of certain persons at Dyde's Hotel on the 18th inst. as the act of the Republican party, but expressly disavow and disapprove of the same.

Resolved, That Aaron Burr does not, and ought not to possess the confidence of the Republican party.

Resolved, That the Republicans of this state are willing at all times to receive as friends, such of their political opponents, as may show by their conduct, that they have adopted Republican principles.

THOMAS FARMAR, Chairman.
ICHABOD PRALL, Sec'ry."

We will venture to say, that if the meeting had then known, what MARCUS has since disclosed respecting the nature of the UNION, Mr. De Witt Clinton might have exclaimed with Shakspeare's Moor, " Othello's occupation's gone."

The proceedings at Martling's being so well over, our situation became a little more comfortable ; for the fact being so well known of our giving the invitations, and being accused by so many innocent and virtuous *young* men of being the author of the plot, when in fact, we were nothing but the " *marplot*," we must own, that for a whole week we trembled like an aspen leaf, expecting every moment to be carried to the *Gullotine*. Immediately after the toasts, which we drank at the supper, appeared in the Citizen, the paper containing them was sent, by mail, to Mr. Clinton, in Albany. Mr. Cheetham had at first refused to publish them, but upon advising with his friends, who suspected that there had been foul play somewhere, he concluded it would be best to let them appear, knowing that the Republican party would immediately rise in rebellion

against them. This was to be inferred, considering how much its honour had been sullied, by eulogizing the man, who had so lately, through their particular exertions, aided by his ambitious and anti-republican conduct, lost all his political consequence; Cæsar said Brutus "was ambitious and therefore I slew him." Burr was ambitious, and the Republican party had abandoned him.—When the paper containing the account of the supper reached Albany, it is said, that much apprehension was visible in the countenance of a certain ambitious Senator, lest the exploits of "the evening" should not be generally approved of by his friends. In order, however, to reconcile them to it, the article which we subjoin, appeared in Holt's Bee, a little paper about the size of that insect, which has always been a kind of conveniency to the lordly tribe, and it requires no witch to inform us who wrote it. We beg the reader to peruse it with the attention of a man in close pursuit of truth. He will perceive that its every sentence speaks too plainly to be misunderstood—it throws more light on a formerly dark and mysterious subject than has yet pierced through the gloom which has enveloped it. Without the "Dyde supper" we might have continued in ignorance to this day. It is well known that our modern Cæsar "can bear no rival near his throne;" he would rather be "the first man in a village, than the second in Rome." The Livingston family, powerful by wealth and talents, stood in his way. This family was too much of an eye sore to remain unattacked, and to prostrate them it was necessary to begin with Gov. Lewis, whose son-in-law is a Livingston. There appeared, however, insur-

mountable difficulties in the way, unless the friends of Mr. Burr could be brought in opposition. This may perhaps furnish a clew to certain "unauthorised transactions," but fortunately for our Senator, the affair of the Merchants' Bank furnished a fruitful source of declamation against his excellency, which was dexterously improved, and his rival succeeded without the aid of the Burrites. The article towards which we wish to call the reader's attention, is the following—

From the Hudson Bee.

Mr. Holt,

I have read the address of Phocion in your last paper with some attention. Independent of party attachment, I perceive the fidelity of his narration, and acknowledge the justness of his deductions. He speaks the language of manly feeling and correct sentiment. An unbiassed spectator in the theatre of politics, I have of late considered the situation of the adherents of Col. Burr with a degree of interest.—They have recognized the delicacy of their relative standing in the state, and by the discretion and good policy of their demeanour have removed prejudices and extorted respect. Their return into the bosom of the republican party, from which they have been considered as alienated, appears now to be a matter of course and natural consequence. For my part, whatever charges and recriminations were interchanged by

those gentlemen and their adversaries, in the bickerings of an electioneering struggle, I never understood them to have pointedly abandoned the great standard of republicanism in their disagreement with "brethren of the same principle" on the merits of two candidates, who had both stood high in the general confidence. They supported Col. Burr on the ground of his republicanism, and opposed his rival on account of his aristocratical connexions and propensities. And their co-operation with the federalists in the election, I view as arising more from personal irritation excited between the Lewisites and Burrites (so called) than from any desire in the latter to re-establish the reign of federalism. It is true, much local injury will be sustained, and much personal acrimony and altercation remain to be forgiven, in the result of every contested election, from the manner in which they are conducted in this country. But when the causes of these dissentions are removed, every good citizen must wish and promote the return of *harmony* and concord.

In regard to Col. Burr, it is not very probable he will soon if ever again become the object or leader of a party in this state. This point, I conceive requires no elucidation. The other point of difference between his friends and the Lewisites, however, the support of the aristocratical pretensions of the governor's family, remains to be settled. To this family, and their influence, the great body of the Burrites appears to remain

inflexibly opposed. And this opposition must be reconciled to the Republican interest of the state, before the Burrites can be restored to their original standing with the Republican party. Here, fortunately, perhaps for both parties, *circumstances* have transformed the collision of their interest into an *union* of sentiment and action. The departure of Governor Lewis from the views and affections from the mass of his supporters, and his confirming the suggestions of the Burrites in the aggrandizement of his connexions, leaves no room for a contrariety of sentiment on the subject. The late adherents of Col. Burr, with the friends of the Clinton party, or Clintonians, (to continue the use of the vulgar distinctions) must with equal sincerity and zeal unite in this point of their former contention. It is not a little singular that the candidates of both parties should be deserted by their electors. I will not say they have both deceived their friends; this is best known to the parties themselves. But that they are both deserted by those who contend for their elevation to the executive chair, as future candidates for that important office, cannot at this day be denied.

What, then, can remain as an obstacle to the reunion and co-operation of the two parties? What separate or clashing designs or interests can subsist between them? I know of none. Indeed, as I cannot pretend that I ever wished or obtained admission to the particular arcana of either party, it is obvious that my

remarks are founded on general and impartial views. I speak as a friend to political *harmony*, desirous of obliterating the injudicious and unprofitable exacerbations of the past and avoiding unnecessary misunderstanding and misguided predilections, in the present and future. Supremely gratified should I be, could I extend my ideas to an union of the Federalists and the Governor's family with the Republican party But I too well know the impossibility of reconciling inveterate and deep rooted principles, and prejudices emanating from self-love, with a system of politics opposite in its nature, and a determination to maintain that system at the expense of all favoritism and family influence. I shall therefore confine myself to attempting the repair of breaches capable of reconciliation, and the restoration of *harmony* where it may be effected. In the relative conditions of the two parties I have been considering, (though I am so little interested that I voted neither for Col. Burr nor Col Lewis) I could not but perceive the facility with which the prosperity of both might be advanced, without injury to the feelings of either, by a mutual understanding, and disposition to forget prior differences in subsequent advantages. And indeed I should be little mistaken if common reflection and common benefits had already produced the result I have contemplated.

ARISTIDES.

P. S. In counting on the justice, the magnanimity and the good faith of the two parties, I trust I calculate on a basis which may be relied on without fear. Indeed, when the professions and interests of mankind are in strict unison, it would be absurd to apprehend their opposition and defeat from the passions. The jealousy of the most suspicious may therefore safely be trusted with the experiment. And the result, if auspicious, would secure to the strong a *permanent* and *paramount* ascendency, and to the weak a participation in influence and consideration of which they have now no possession, and to which in their present state they can make no forcible claim. The latter would also rise from the condition of agents and instruments, in which they have been hitherto considered by those who made use of them on former occasions, to the rank of *principals* and *partners* in the labors and honors of the political warfare. Thus every motive calls on them to re-embrace their "first love," and accord the hand of fellowship with their old friends and associates. A.

We presume no comments on the above are necessary, we leave every one to form his own conclusions.

Notwithstanding Mr. Clinton's attempt to harmonize *brethren of the same principle*, the Republican party, to vindicate its sullied honour, lost no time in acquitting itself from the reproach which had been

heaped upon it. Their measures were effectual, and the accommodation was for some time believed by the public to have been a thing entirely unauthorized. The reproach fell upon us, as having inveigled so many *innocent* and *unsuspecting* men, and drawn them into a scrape where their honour and political consequence was to be lost: and *we* being unable, at that time, to explain the affair, submitted in silence. The opposstion to Gov. Lewis was now rapidly maturing. The friends of Col. Burr, finding themselves overlooked by the Republican party, incensed at the perfidious conduct of Mr. Clinton, and also feeling satisfied, that however honest the mass of Republicans might be in their opposition, there was more of ambition than honesty in *his* views—that the people might have a better knowledge of his character, deemed it proper to publish some account of the power he assumed in bargaining for a union of the Burrites with the Republican party. Accordingly, a short time after Dyde Supper, and before the election of Governor came on, a writer under the signature of MARCUS, published a series of letters addressed to Mr. Clinton, which appeared in the *Poughkeepsie Barometer.* It is unimportant to the community to inquire who the writer of MARCUS is. The only material question for discussion is, are the facts mentioned by him *true*—if true, does not the conclusion irresistibly follow that Mr. Clinton ought not to possess the confidence of any one, sincerely attached to that liberty

secured to us by our Republican institutions. The narrative contained in these letters, will be found interesting. It commences as follows.

"About the 24th of December, 1805, Mr. Levi M'Keen, of Poughkeepsie, arrived in the city of New-York, and shortly after called on different gentlemen among his political friends, stating to them that overtures had been made by the *Clintonians*, to form an union with the Burrites, and his opinion that the plan was feasible. He added that he had conversed with Gen. Bailey on the subject, and was desirous that Col. Swartwout should consent to an interview for the same purpose. Mr M'Keen was informed that there were numerous and almost insurmountable obstacles to such a measure, inasmuch as the friends of Col. Burr could never place confidence in the engagements of De Witt Clinton, until *he should have done some act*, indicative of his sincerity.

"It was then suggested, that as Mr. Clinton had not the power of giving offices at that moment, and thus *pubicly committing himself*, he should give to the friends of Col. Burr, pecuniary aid through the medium of the Manhattan Bank, of which he was a director: and from which Bank they were almost totally secluded, by a system of intolerance and persecution.

This point, after two or three days' discussion, was conceded as reasonable and proper. Hitherto Mr.

M'Keen and General Bailey were the only agents; but the affair assuming a more important aspect, it became necessary that some persons residing in the City of New-York, known to be friendly to Col. Burr, should undertake the arrangement: and Col. John Swartwout was selected. It was, however, determined, that no movement should be made, on the part of the Burrites, but by *solicitation.*

On the 5th of January, M'Keen left the City of New-York, and on the 7th Mr. Swartwout received from Gen. Bailey a written note, inviting him to spend an hour with him that evening, which invitation was accepted. After some desultory conversation, the plan of terminating the division between the Burrites and the Clintonians was introduced by Gen. Bailey. Mr. Swartwout immediately inquired whether he was authorised by the Mayor, or merely spoke as Gen. Bailey in his private capacity. The General replied, that he was authorized by Mr. Clinton. They then proceeded to the discussion of the subject; and their interview lasted about four hours. Mr Swartwout remarked, however, as a preliminary to the discussion, that the friends of Col. Burr retained their respect and esteem for that gentleman; that *his* friends were *their* friends, and *his* enemies *their* enemies.

From this day until the 11th of January, the interviews between Gen. Bailey and Col. Swartwout were

almost daily. At some of their meetings R. Riker was present; at others, Pierre C. Van Wyck. During the whole negociation, however, Mr. Clinton never consulted any person or persons, it is believed, but those above named.

The character of Richard Riker is well known.—His instability as a politician is notorious. In 1798, he was conspicuous as a federalist, and in the public market triumphed at the success of the federal ticket in the city of New-York. To De Witt Clinton, since his appointment to office, he is as the *pilot-fish* to the *shark*.

P. C. Van Wyck is a young man, unacquainted with the political concerns of the state, and consequently a very incompetent judge of measures of policy.

On the 11th of January the terms of an union of Burrism and Clintonianism, was concluded, and they were as follows:

Firstly—That Col. Burr should be recognized by the union party, as a *republican*.

Secondly—That the Editor of the American Citizen should desist from all attacks upon him or his friends; that he should advocate the union, if it became necessary, in his paper; and that he should not defend the Burrites as *returning* to republican principles, they persisting that they never had abandoned them.

Thirdly—That the friends of Col. Burr, as it respected appointments to offices of honor or profit, throughout the state, should be placed on the same footing as the most *favoured* Clintonians; and that their Burrism should never be urged as an objection to their filling those offices.

Fourthly—That at the approaching election in April, the Burrites should have a portion of at least one third of the Representatives of the City and County of New-York in the State Legislature.

Fifthly—That De Witt Clinton should see that they (the Burrites) were accommodated to any reasonable amount they might require in the Manhattan Bank, and that he should actually procure for an individual, in the course of the next week, an accommodation, in said Bank, of at least $18,000!!

Such were the conditions of the union, as concluded on the morning of the 11th of January. Mr. Swartwout having reported the result of his negociations, it was their opinion that Gen. Bailey ought to repeat them to some other friend of Col. Burr. The General was noticed of this circumstance, and cheerfully assented. Accordingly, on the same day, about one o'clock, Mr. Mat. L. Davis accompanied Mr. Swartwout, by appointment, to the house of Gen. Bailey, where, in the presence of those two gentlemen, he repeated the above terms as the basis of a reconciliation.

On Monday, the 13th January, the Manhattan Bank, in pursuance of the above arrangement, discounted, for the accommodation of a distinguished Burrite, a note of *Nine Thousand Dollars:* and on Thursday, the 16th, another note of *Nine Thousand Dollars*, for the accommodation of the same person, making the *Eighteen Thousand Dollars*, stipulated for in the 5th article.

Other friends of Col. Burr were accommodated with smaller, but very considerable sums, who could not previously obtain *one cent* from the coffers of that institution.

Mr. Clinton having thus *given a pledge* of his sincerity; it was agreed, that an interview should take place between him and Col. Swartwout. Thursday evening, the 16th, at 6 o'clock, at the house of Gen. Bailey, by arrangement, they met. About 7 o'clock, Mr. Clinton's counsellors and advisers, Riker and Van Wyck, came into the room to express their *heartfelt* satisfaction at this UNION OF HONEST MEN. They remained about an hour and then retired.

It had been previously determined that the *leaders* of the Clinton party should manage their own men in their own way, and that no communication should be made by the Burrites, to the followers of Mr. Clinton.

On the 11th, the union was concluded; on the 13th a part of the conditions were carried into operation; on the 16th, Mr. Clinton and Mr. Swartwout had their

Thirdly—That the friends of Col. Burr, as it respected appointments to offices of honor or profit, throughout the state, should be placed on the same footing as the most *favoured* Clintonians; and that their Burrism should never be urged as an objection to their filling those offices.

Fourthly—That at the approaching election in April, the Burrites should have a portion of at least one third of the Representatives of the City and County of New-York in the State Legislature.

Fifthly—That De Witt Clinton should see that they (the Burrites) were accommodated to any reasonable amount they might require in the Manhattan Bank, and that he should actually procure for an individual, in the course of the next week, an accommodation, in said Bank, of at least $18,000!!

Such were the conditions of the union, as concluded on the morning of the 11th of January. Mr. Swartwout having reported the result of his negociations, it was their opinion that Gen. Bailey ought to repeat them to some other friend of Col. Burr. The General was noticed of this circumstance, and cheerfully assented. Accordingly, on the same day, about one o'clock, Mr. Mat. L. Davis accompanied Mr. Swartwout, by appointment, to the house of Gen. Bailey, where, in the presence of those two gentlemen, he repeated the above terms as the basis of a reconciliation.

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On the 11th, the union was concluded; on the 13th a part of the conditions were carried into operation; on the 16th, Mr. Clinton and Mr. Swartwout had their

interview; and yet, on the 17th, there was not an individual member of the Legislature, Riker excepted, who had the most distant suspicion of such an event having taken place; because on that day, the 17th, and the next, both James Warner and Francis Cooper, were busily employed with Riker, in endeavouring to bring about this desirable reconciliation. These men were honest and sincere; but they will perceive, while communicating and planning with Riker as to the best means to accomplish the object, he was laughing in his sleeve at their credulity; and triumphing with Van Wyck and Clinton, at the facility with which the *well-born* and the *great* too frequently impose upon the weak and ignorant. Such must ever be the degraded state of men, who implicitly follow demagogues.

On or about the 18th, *seven days after* the union had been concluded, a dinner was given by Mr. Clinton, at which the members of the Legislature, with other *leading* republicans were present. At this dinner the subject of the union was the topic of conversation. Here it was that De Witt played *his part* with great adroitness. He could scarcely hazard an opinion, as to the policy of the measure. He was willing to sacrifice his resentments and his feelings for the public good; and was determined to be governed by his friends. Consummate duplicity! The prevailing sentiment was, that the measure would be, in a political view, highly advantageous. No man appeared more gratified with the prospect of success, than William W. Gilbert; and all who spoke of it, were willing to

make an effort to accomplish it. The company retired with these impressions, each doubtless complimenting their great chief on his liberality of sentiment and disinterested patriotism !

Where is the high and towering spirit which once glowed in the bosom of many of our old and respectable republicans ? In short, where is the man in the party who does not feel a degree of mortification and chagrin, at being excluded from the confidence of his leader, while such men as Mr. Riker and Mr. Van Wyck are selected to decide on its most important arrangement ?

The statement which has been given will account for the appointment of Mr. Van Wyck, Recorder of the city of New-York, and the unexampled efforts which were used to procure for him that situation.

From the 18th until the 25th of January, nothing material, relative to the *Union*, transpired. On the evening of the latter day it was agreed that Mr. Clinton should again meet, at the house of Gen. Bailey, some of Col. Burr's friends. At the appointed hour Col. Swartwout, Mr. M. L. Davis, and Peter Irving, attended. Shortly after they were seated, Mr. Clinton's name was announced. He entered the room, to the astonishment of the congregated Burrites, accompanied by Ezekiel Robins. This gentleman was conspicuous as an advocate of Col. Burr ; but he had not been apprised by his friends of the reconciliation; they were, however, embarrassed. After a few minutes pause

Mr. Clinton explained. He stated that he had considered it his duty to call on Mr. Robins, and to inform him of the happy termination of the contest between "*two sections of the Republican party;*" that at his request, Mr. Robins had accompanied him home, from whence he had conveyed him in his (Mr. Clinton's) carriage, to the house of Gen. Bailey.

At this meeting his deportment was frank and open; and if I am not much deceived, he made an impression on the friends of Col. Burr, then present, that he was sincere, and that his future conduct would be correct and honorable. He ardently expressed his wishes for a perfect amalgamation of the parties; and in *promises* he was lavish. *Burrites*, he said *must* be sent, at the next spring election, from the city and county of New-York, to the State Legislature. Mr. Peter Townsend *must* represent Orange county. Mr. Joseph Annin, of the Senate, *must* be chosen a member of the Council of Appointment, if sufficient interest could be made for him—Levi M'Keen, of Poughkeepsie *should* be appointed clerk, in the room of Gilbert Livingston, whom *he* would remove from office. To detail all his friendly assurances at this meeting, would be tedious to me, mortifying to him and not interesting to the public. Certain it is, that his ingenuity and talents were called into operation to impress the Burrites with the opinion that he was ardent, sincere, and determined on a system of policy that should prove gratifying to them, and flattering to Col. Burr."

It will be said, to repeat the language of the Author, MARCUS is an anonymous writer, unknown to the public, perhaps influenced by a spirit of revenge, and regardless of truth: and it will be added, Mr. Clinton is the *leader* of a party, high in their confidence, and possessing their esteem. These, with many other arguments, will be urged by his adherents. They are reasonable, and deserve the most mature and deliberate consideration of the people. But they deserve it in a pre-eminent degree, at this crisis, when the press is unblushingly prostituted to the vilest purposes; when the most spotless characters in society, are unfeelingly torn and lacerated to accomplish party views; and when public taste seems so corrupted and vitiated, that nothing but the lowest slanders are palatable. He asks only a dispassionate and calm decision. If the facts which have been stated cannot be well established; if a doubt should remain on the mind of any man—then would MARCUS himself, who knows his guilt, plead with that man for his acquittal.

The terms of the contract entered into between the leaders of the Burr and Clinton parties becoming public, it appeared by one of them that Mr. Clinton had undertaken for the editor of the American Citizen, that he "should desist from all attacks upon Mr. Burr and his friends—that he should advocate the UNION in his paper if it became necessary, and that he should not defend the Burrites as *returning* to Republican principles; they persisting they had never abandoned them." The indignation excited by this in the bosom of Mr. Cheetham, can scarcely be described. He wrote with-

out delay to Albany in terms of the utmost asperity, demanding to know how Mr. Clinton, or any other person, dared to pledge his press in the support of a measure pregnant with so much dishonor both to him and to the party. In a day or two he was deluged with letters, overflowing with assurances that no such pledge had been given, nor even thought of—that Mr. Clinton was determined to submit his injuries to a jury of his fellow citizens, and prove before them his entire innocence. These assurances, together with the subsequent conduct of Mr. Clinton, pacified Mr. Cheetham, though it was evident to those who conversed with him upon the subject, that he still cherished a lurking suspicion of some freedom having been taken irreconcilable with his independence as the conductor of a public Journal. He betrayed upon many private occasions, symptoms of a mortified yet indignant spirit; and those who knew him intimately, always dated the declension of his confidence in Mr. Clinton from the period of the disclosure above mentioned. The letters of *Marcus* opened the eyes of thousands, who till that time had been blind to Mr. Clinton's ambition. Many who had believed him a patriot of the *first water*, began to question the purity of this *Diamond* of Democracy. The Republicans of the Northern District, in particular, began to think too audibly for the tranquillity of Mr. Clinton. The election for Governor had nearly arrived, and our independent yeomanry suspecting that personal ambition was in reality the ground work of the opposition to Mr. Lewis, seemed no longer to display the same zeal which had been kindled against him with so much pains by the partizans of his political op-

ponent. Their ardour appeared to be cooling down with a rapidity alarming to the fears and hopes of Mr. Clinton—they saw some think in the Burr contract bespeaking a design on his part to accumulate power in his own hands, which they knew must inevitably be the consequence of the prostration of Governor Lewis, and which power would the better enable him to retain a very important office to himself, and distribute others among his obsequious dependants. These reflections made them slow to act against Gov Lewis, and Mr. Clinton, apprized of this state of the public mind, and feeling his consequence rapidly diminishing, found it necessary to come out under his own proper signature. The following was deemed so important, and it certainly was of great importance in the peculiar exigency of his affairs, that an extra Albany Register was issued for the purpose of giving it notoriety, particularly in the northern parts of the state.

From the Albany Register Extraordinary.

A *nefarious libel*, under the signature of MARCUS, having been recently printed at POUGHKEEPSIE, and industriously circulated in the NORTHERN parts of the state, with the view of wounding my feelings, and exciting *unjust prejudices* against me; I have directed *prosecutions* to be *immediately* instituted against the AUTHOR and PUBLISHERS, and I PLEDGE myself to my friends, that a JUDICIAL INVESTIGATION will demonstrate

the *folly*, the *falsehood* and the *malice* of the charges exhibited against me.

DE WITT CLINTON.

Albany, 26*th Jan.* 1807.

The PUBLIC will soon see in what manner Mr. CLINTON has performed his pledge—a *pledge* so solemnly made in the face of the PEOPLE, and so highly material to his reputation, both as a man and a politician.

Mr. Clinton, in part performance of his sacred pledge, with a promptness which appeared to do him honor, immediately wrote to Mr. Talmadge to prosecute the Editor of the Barometer for publishing the letters of MARCUS, and likewise to Mr. Cowdrey, a professional gentleman of this city, to prosecute Mr. Matthew L. Davis, as the author, taking care before these letters were dispatched, to shew them to his Republican legislative friends, that they might certify their constituents of his intention to vindicate his injured reputation, and bring the culprits to justice. The early and apparently serious effort for redress, produced the effect which Mr. Clinton desired and no doubt foresaw. Public opinion again took a turn in his favor, and Governor Lewis was prostrated. No one ventured to distrust Mr. Clinton's sincerity, but all gave him in advance a credit which it had been well both for himself and the Republican cause he had done nothing to forfeit—they even imagined him already acquitted, and the slanderers of his fame punished. It would

have amounted almost to the crime of blasphemy if any one had ventured to assert that this part of his conduct was nothing but the trick of an adroit politician. The election succeeded to the utmost of our statesman's wishes, and the former Governor sustained a defeat as fatal to his hopes as the battle of *Marengo* was humiliating to the pride of *Austria*. Mr. Clinton was hailed as the conqueror who had achieved the victory, and has since enjoyed without a rival, all the honors which attend successful ambition. The sequel, however, must test to Mr. Clinton's sincerity in commencing his prosecutions as a remedy for his wounded reputation. A supreme court writ against Mr. Davis, was returned served, in February term, 1807. Mr. Davis waited for Mr. Clinton's declaration against him until the 27th day of October following (a period of eight months) and not finding him inclined to make any farther progress in the suit, he resorted to coercion and *ruled* him to proceed before the end of the then ensuing term. No notice being taken of this, a judgment of *Non Pross* was entered against him, and the cause was at an end. It appears, however, by the rule book, that a declaration was filed on the 10th day of December following. This must have been owing to the courtesy of Mr. Davis, as it does not appear that any steps had been taken to set the *Non Pross* aside. Mr. Davis must have waved the judgment to allow Mr Clinton all possible opportunity of doing himself justice, if *desirous* to obtain it.

The following is a part of the declaration, we think it unnecessary to publish the whole of it, as the rest re-

lates to the alleged union contract, of which the public are already informed.

SUPREME COURT.

Of Saturday the fourteenth day of February, of February term, in the year of our Lord one thousand eight hundred and seven.

City and County of New-York, ss.

De Witt Clinton complains of Matthew L. Davis, in custody, &c. for that whereas, the said De Witt Clinton, now is a good and worthy citizen of the United States, and as such hath always behaved, governed and conducted himself, and until the time of devising, speaking, telling, writing, uttering, printing and publishing of the false, scandalous, infamous, malicious and defamatory libel herein after mentioned, was always esteemed and reputed to be a man of good name, fame, credit and reputation, and was never suspected of falsehood, duplicity perfidy, or any other such hurtful crime; by means whereof the said De Witt Clinton before the printing and publishing of the said false, scandalous, infamous, malicious and defamatory libel herein after mentioned, had deservedly gained the good opinion and confidence of divers good and worthy citizens of the United States, to wit, at the city of New-York, at the first ward of the said city, and within the county of New-York. And whereas the said De Witt Clinton before and at the time of devising, uttering, printing and pulishing

of the said false, scandalous, infamous, malicious and defamatory libel herein after mentioned, was Mayor of the said city of New-York, and had, during all the time of his so being Mayor of the said city as aforesaid, discharged the duties of his situation with great care, attention and fidelity, and to the comfort, benefit, profit and advantage of good citizens and inhabitants of the said city, to wit, at the city, ward and within the county aforesaid. And whereas, also the said De Witt Clinton, before and at the time of the devising, uttering, printing and publishing of the said false, scandalous, infamous, malicious and defamatory libel herein after mentioned, was one of the senators in the senate of the state of New-York, and before the devising, uttering, printing and publishing of the said libel, had as such senator aforesaid, been nominated and appointed in virtue and pursuance of the constitution of the said state, one of the council for the appointment of certain officers, designated in and by the said constitution, to wit, at the city, ward and within the county aforesaid. Yet the said Matthew L. Davis well knowing all and singular the premises aforesaid, but contriving and maliciously intending wrongfully and *unjustly* to injure, defame and slander the said De Witt Clinton in his aforesaid good name, fame, credit and reputation, and to bring him into public scandal, contempt, ignominy and disgrace, and to cause it to be credited and believed that the honourable reputation in which the said De

Witt Clinton had been long held by his fellow citizens had been undeserved on his part, that the *public welfare*, and the VOICE of the PEOPLE *imperiously demanded* that he, the said De Witt Clinton, should be deprived of the honours and emoluments of the offices which he held as aforesaid, that the said De Witt Clinton had exercised the powers of dispensing the public favours in such a manner as to excite the disgust and contempt of all moderate and disinterested men, and that the said De Witt Clinton had been guilty of *falsehood*, *duplicity* and *perfidy*, on the twentieth day of January, in the year of our Lord one thousand eight hundred and seven, to wit, at the city, ward and within the county aforesaid, did falsely and maliciously, wickedly and designedly, print and publish, and falsely and maliciously, wickedly and designedly cause to be printed and published, a certain false, scandalous, infamous and malicious libel, of and concerning the said De Witt Clinton, containing therein the false, scandalous, infamous and malicious matter, following of and concerning the said De Witt Clinton, that is to say,

THE PLOT DISCOVERED, BY MARCUS, No. 1.

TO DE WITT CLINTON, ESQ.

SIR,

Unaccustomed to the language of panegyric, I offer no apology for the abruptness of this address. A

Republican from education, from habit, and from principle, I disdain the courtier.

The period, sir, is rapidly approaching, when the influence of truth will divest you of the ill-born honours which have enshrouded your brow. The reign of proscription will soon subside, and, it is to be hoped, will be succeeded by tolerance and forbearance. It is, however, both necessary and proper that you and your immediate satellites should be stripped of the emoluments of office. The public welfare and the voice of the people imperiously demand it. The evil forebodings of a guilty mind must long since have suggested it to you. Nor will you, in the calm and dispassionate moments of reflection, condemn this sentence as harsh. You will acknowledge its justice, and in the language of the sacred volume exclaim, "The arrows of the Almighty are within me, the poison whereof drinketh up my spirit; the terrors of God do set themselves in array against me."

You have had the power of dispensing favours, almost without limitation; and you have executed that trust in such a manner as to excite the disgust and contempt of all moderate and disinterested men. The venerable patriot, and the war-worn soldier of our country, have been impiously thrust from petty posts, to satisfy the cravings of idle and fawning sycophants. You are encircled by a mercenary band, who, while

they offer adulation to your system of terror, are ready, at the first favourable moment, to betray and desert you. A portion of them are needy young men, who, without maturely investigating the consequences, have sacrificed principle to self aggrandizement. Others are mere parasites, that well know the tenure on which they hold their offices, and will ever pay implicit obedience to those who administer to their wants. Many of your followers are among the most profligate of the community. They are the bane of social and domestic happiness. Servile and dependant panders, no means, however wicked, have been neglected by them to accomplish their purposes, and to carry into execution your mandates.

Numerous are the charges which have been exhibited against you. Some of them have doubtless been exaggerated, and others have no foundation in truth. Sufficient have, however, been established to bring upon you the odium of your fellow citizens. It is not my design to repeat those charges, nor to load you with vulgar and unmeaning epithets. To triumph over a fallen enemy is cruel in the extreme. But there is one part of your conduct which has excited much conversation, and is but very imperfectly understood. It betrays, however, a species of perfidy and falsehood repugnant to the feelings of a man of honor, and too undignified for the most grovelling wretch that receives

the patronage, or boasts the confidence, even of De Witt Clinton.

The subject to which I allude, is the *union*, as it has been facetiously termed. And although I shall be brief, yet I shall convince you and your associates that I am no stranger to the details connected with that transaction. How I came to the possession of them, is not material to you, and is unimportant to the public. The tale shall be a plain unvarnished one, carrying on the face of it proofs of its accuracy. My next number shall be devoted to this subject, and in the presence of God and my country, I pledge myself to establish your DUPLICITY and your PERFIDY.

MARCUS.

The declaration concludes in the following words:

By means of the printing and publishing of which said false, scandalous, infamous and malicious libel, and libellous matter of and concerning the said De Witt Clinton in manner aforesaid, the said De Witt Clinton is greatly hurt and injured in his good name and reputation, to wit, at the city, ward and within the county aforesaid. Wherefore the said De Witt Clinton saith that he is injured and hath sustained damage to Five Thousand Dollars, and thereof he brings suit, &c.

Cowdrey, Plaintiff's Attorney.

To the declaration of Mr. Clinton, Mr. Davis filed the following plea and served a copy of it upon Mr. Cowdrey. Every one who has attended to the Narrative of the celebrated UNION SUPPER (and if we allow ourselves to judge from the unprecedented demand for our papers, the public sensibility must be much alive to the subject) will read with increased interest, this reply of the defendant:

SUPREME COURT.

Matthew L. Davis, ads. *De Witt Clinton.*

And the said Matthew, by Cadwallader D. Colden and Anthony Dey, his attornies, comes and defends the wrong and injury, when, &c. and says that he is not guilty in manner and form, as the said De Witt above complains against him, and of this he puts himself upon the country, and the said De Witt likewise, &c. COLDEN and DEY.

City and County of New-York, ss.

Matthew L. Davis puts in his place, Cadwallader D. Colden and Anthony Dey, his attornies at the suit of De Witt Clinton, in the plea aforesaid.

SIR,

Please to take notice that the defendant will upon the trial of this cause, give in evidence under the plea

by him above pleaded, according to the form of the statute, in such case made and provided—that at the times of printing and the publishing of several words and matters charged in the plaintiff's declaration as a libel, to wit, the thirteenth day of January, in the year of our Lord one thousand eight hundred and seven, and long before, and until that time and since, and at the several days and times herein after mentioned; there have been and existed in the state of New-York, and yet are, two political sects or parties, one whereof, has during all the time aforesaid, and at the several times aforesaid, been called and known by the name of Clintonian party, and the other whereof, has during all the time and at the several times aforesaid, been called and known by the name of Burr party, and that divers citizens of the said state of New-York, have during all the time aforesaid, and at the several times aforesaid, belonged or been of or attached to the said Clintonian party, and that divers other citizens of the said state, have belonged or been of or attached to the said Burr party, and that the said citizens of the said state, who belonged to or were of or attached to the said Clintonian party, held political sentiments and opinions of men and measures, different and adverse to the said citizens who belonged to or were of or attached to the said Burr party, and that the said citizens who belonged to or were of or attached to the said Burr party, held political sentiments and opinions of men and measures, different and adverse to the said citizens who were of or

belonged or were attached to the said Clintonian party, and that during all the time and at the several times aforesaid, the said plaintiff was one of or belonged to or was attached to the said Clintonian party, and hath always been considered as one of the chiefs or leaders of the said Clintonian party. That the said plaintiff had during all the time aforesaid and at the several times herein mentioned, great influence with the said citizens who were of or attached to or who composed the said Clintonian party, and that the said citizens who were of or attached to or composed the said Clintonian party during all the time, and at the said several times have been much governed, influenced and directed by the orders, directions, advice or counsel of the said plaintiff.

And the said defendant will give in evidence as aforesaid, that during all the time aforesaid, and at the several times aforesaid, one Aaron Burr was one of or belonged or was attached to the said Burr party, and has always been and considered as one of the chief or leaders of the said Burr party, and that the said citizens who were of or composed or were attached to the said Burr party were much attached to the said Aaron Burr, and always had great confidence in him and in his counsel and advice.

And the said defendant will further give in evidence as aforesaid, that on or about the eleventh day of January, in the year of our Lord one thousand eight

hundred and six, there was a certain agreement or union or coalition, or alliance made between some of the said citizens who were of or belonged to or composed the said Clintonian party, and some of the said citizens who were of or belonged to or composed or were attached to the said Burr party, and that the said agreement, or union, or coalition, or alliance, was suggested, instigated and advised by the said plaintiff, and brought about and effected by and through his means and procurement, and that the said agreement, union, coalition or alliance, was suggested by the said plaintiff and brought about by him and by his means and procurement with the design and intent to strengthen his said political party and thereby to maintain himself and his partizans in office. And the defendant will further give in evidence as aforesaid that one *Theodorus Bailey*, at the several times herein mentioned, was one of the said citizens composing or belonging or attached to the said Clintonian party, and that at the said several times the said Theodorus Baily was the agent of the said plaintiff, and acted by the advice and procurement of the said plaintiff, in endeavouring to bring about, and in bringing about and effecting an agreement, coalition, alliance or union of the said political parties, and of the said citizens who respectively composed or belonged or were attached to the same as aforesaid. And that the said Theodorus Bailey acknowledged himself and was acknowledged by the plaintiff, to be the authorized agent of the said plaintiff for the purpose aforesaid. And the defendant will further give in evidence, that one John Swartwout

was at the said several times, also one of the citizens who were of or belonged, or were attached to the said Burr party and one of the said citizens composing the said Burr party, and at divers days and times between the 24th day of December, in the year 1805, and the 11th day of Jannary, in the year 1806, the said Theodorus Bailey, as such agent of the said plaintiff, had divers meetings and conversations with the said John Swartwout, and at each and of every of the said meetings, the said Theodorus Bailey as such agent of the plaintiff as aforesaid, did converse with the said John Swartwout respecting an agreement, union, alliance, or coalition of the said parties, and that on the said eleventh day of January, in the year last aforesaid, as such agent as aforesaid, of the plaintiff, in behalf of himself and the said plaintiff, and of other citizens of the said state, who belonged or were attached to the said Clintonian party, did agree with the said John Swartwout and others in behalf of himself and themselves and others of the said Burr party to the terms of an agreement, coalition, alliance or union between the said Burr party and the said Clintonian party, which terms were as follows:

Firstly, that *Col. Burr* should be *recognized* by the *union* as a *republican.* Secondly, that the *editor* of the *Ameican Citizen* should *desist* from all attacks upon *him* or his *friends*, that he should *advocate* the *union*, if it became *necessary* in his paper, and that he should *not* defend the Burrites as *returning* to republican principles, they persisting they never had *aban-*

doned them. Thirdly, that the friends of Col. Burr, as it respected *appointments* to *offices* of *honour* or *profit* throughout the state, should be *placed* on the *same footing* as the *most favoured Clintonians*, and that their *Burrism* should *never* be *urged* as an *objection* to their filling those offices. Fourthly, that at the *approaching election* in April, the *Burrites* should have a *portion* of at least *one third* of the *representatives* of the *city* and *county of New-York*, in the state legislature. Fifthly, that *De Witt Clinton* should see that they (the *Burrites*) were *accommodated* to any reasonable amount they might require, in the *Manhattan Bank*, and that *he* should *actually* procure for an individual in the course of the *next week* an accommodation in said bank of at *least eighteen thousand dollars*.

And the defendant will further give in evidence, as aforesaid, that on the *thirteenth* day of January, one thousand eight hundred and six, the *Manhattan Bank*, in *pursuance* of the *fifth* article above specified, *loaned* for the accommodation of the said *John Swartwout*, a large sum of money, to wit, the sum of *nine thousand dollars*, on the *sixteenth* day of the same month, last aforesaid, the same bank *loaned* for the accommodation of the said *John Swartwout*, another large sum of money, to wit, the sum of *nine thousand dollars ;* and that in pursuance of the same *fifth* article above specified, *other considerable* sums of money were loaned by the said bank for the accommodation of *other* citizens belonging to, who were of, or were attached to the said *Burr party*. And that *before* the said loans were

so made as last aforesaid, the said citizens for whose use, accommodation and benefit they were made, could *not* procure *any loans* or *discounts* from the said bank, and that when the said several loans were so made, the said *plaintiff* was a *director* of the said bank.

And the defendant will further give in evidence as aforesaid, that *previously* to the sixteenth day of January, 1806, to wit, on the *thirteenth* day of the same month, in the same year, the said *terms* of the said agreement, union, alliance or coalition between the said Clintonian party and the said Burr party, *were communicated* to the said *plaintiff*, and that on the same sixteenth day of January last aforesaid, the said John Swartwout and the *plaintiff* had an *interview* or *meeting*, and the said plaintiff did then express *his approbation* of, and give his *assent* to the agreement, union or coalition of the said parties upon the terms aforesaid. And the defendant will further give in evidence as aforesaid, that *after the* said agreement, union, alliance or coalition had been made aforesaid, upon the *terms* aforesaid, and after the said *plaintiff* had *approved* thereof as aforesaid, and after the said *terms* had been in *part* performed by loans from the Manhattan Bank, as aforesaid, to wit, on the *eighteenth* day of the said month of January last, aforesaid, the plaintiff did *pretend* and *give out* in speeches to divers citizens who were also attached to and belonged to, or were of the said Clintonian party, that no agreement, or union, or coalition, had been formed between the said Clintonian party and the said Burr party; or between members

of the one and the other of the said parties; but expressed *his* desire that there *should be* an union, alliance, or agreement, or coalition between the said parties, and *did solicit* divers persons to *aid and assist in bringing about* an agreement, or union, or coalition, or alliance, between the said parties. And the defendant will further give in evidence as aforesaid, that during all the time aforesaid, and at the several times herein mentioned, there was a public newspaper printed and published in the city of New-York, called the *American Citizen*, edited by one James Cheetham, and that previous to the making of the said terms and agreement aforesaid, the said James Cheetham had, for years in the said public newspaper, villified, not only the said Aaron Burr, but many citizens who were attached to or belonged to the said Burr party, and represented in the said public newspaper the said Aaron Burr and the citizens who were the friends of the said Aaron Burr, and who belonged or were of or attached to the said Burr party, with abandonment of principle, and with being a "vile and daring faction," and that after the said agreement, alliance, union, or coalition of the said parties, the said James Cheetham, in the said public newspaper, complimented and panegyrized citizens who were attached or belonged to the said Burr party, for their "eminent services as Republicans!—and for their inflexible attachment to the said Aaron Burr!"

And the defendant will further give in evidence as aforesaid, that on the 24th day of January, in the year

last aforesaid, the said plaintiff and the said John Swartwout, and the defendant, and one Peter Irving, and one Ezekiel Robins, (which said defendant, Peter and Ezekiel were at all times herein mentioned citizens of, or were attached, or were belonging to the said Burr party) had a meeting. That the said Ezekiel was brought to the said meeting by the said plaintiff, and was informed by the said plaintiff of the agreement, or coalition, or union, or alliance aforesaid, and of the terms thereof, or some of them, and that the said plaintiff at the said meeting spoke of the said agreement or union, or alliance, or coalition between the said parties, and expressed his satisfaction therewith, and approbation thereof. And that the said plaintiff at the said meeting made many promises to the citizens who belonged or were attached to, or were of the said Burr party, who were present. And that the said plaintiff at the said meeting expressed himself in words to the following effect:—"That Burrites must be sent the then next spring election from the city and county of New-York to the state legislature. That Mr. Peter Townsend *must* represent Orange county, Mr. Joseph Annin of the Senate *must* be chosen member of the Council of Appointment, if sufficient interest could be made for him. That Levi M'Keen should be appointed Clerk in the room of Gilbert Livingston, who he (the said plaintiff) would REMOVE FROM OFFICE."

And the defendant will further give in evidence, that at the said meeting, last aforesaid, the said plain-

tiff solicited one of the persons there present, viz. the said defendant, to set off immediately for Orange county to visit the aforesaid Peter Townsend, and to communicate to him the terms and conditions of the said union, reconciliation or compromise, and to ascertain with certainty, whether the aforesaid Peter would agree to the aforesaid arrangement, and act accordingly—and that the said defendant, in pursuance of such solicitations and requests, did leave the city of New-York on the 25th of January last aforesaid, on a visit to the said Peter, and having received his assent, wrote to the said plaintiff on the morning of the 26th, from Chester in Orange county, informing him of the circumstance.

And the said defendant will further give in evidence, that at the said meeting last aforesaid, the said plaintiff was told by one of the citizens who were present at the said meeting, to wit, by the said defendant, that the citizens who were, or who belonged or were attached to the said Burr party, had been in the habit of communicating and consulting freely with each other, that they believed that system of policy most correct, and the said plaintiff was then and there asked with whom of his party they should confer during his absence, if events should require conference; to which the said plaintiff replied, General Bailey and Pierre C. Van Wyck.

And the defendant will further give in evidence as aforesaid, that on the 20th of February, in the year

last aforesaid, certain citizens who were of, or attached, or who belonged to the said Burr party, and certain citizens, who were of, or attached, or belonged to the said Clintonian party, met at a certain house in the city of New-York, called Dyde's Hotel; and then and there partook of a supper prepared for the occasion, which has since been called and known by the name of the *union supper*, at which supper a number of toasts were drank complimentary to the said Aaron Burr, and to the citizens of the said Burr party; and that afterwards, to wit, on the 24th day of the same month of February, in the same year last aforesaid, a meeting of certain citizens of the said state of New-York, was held at a certain house situate in the said city of New-York, called Martling's tavern, and that the said last mentioned citizens, so met as aforesaid, then and there passed certain resolutions against the said union, alliance, agreement or coalition between the said Clintonian party and the said Burr party, or between certain citizens belonging to the said Clintonian party and certain citizens belonging to the said Burr party; and that afterwards, to wit, on the third day of March, in the same year last aforesaid, the said plaintiff wrote a certain letter to the said Theodorus Bailey, bearing date on the same day and year last aforesaid, which said letter was received by the said Theodorus Bailey; in which letter, among other things, the said plaintiff says in substance, "that he the said plaintiff hoped the *imprudence* of his friends at Dyde's will be overlooked; that to receive the *Burrites is universally agreeable*, but that if this reception should be *tainted*

with *promises of office*, it would be *ruin* to your cause; that it was *reported* a *treaty* had been formed consisting of *five* articles, *one* of which was that William P. Van Ness should be Secretary of state, and *another* that Col. Burr [the said Aaron Burr meaning] should be Governor; and that this treaty had been shown to Mr. Eppes, the President's son-in-law—that *prompt* and *efficient* measures should be taken to *contradict these infamous falsehoods*—perhaps the most proper mode would be to require frank and explicit declarations from gentlemen of the Burr party."

And the defendant will further give in evidence, that before the plaintiff wrote the said last mentioned letter, to wit, at the said meeting on the twenty-fourth of January in the year last aforesaid, as well as on other days and times, the said plaintiff had made many promises of offices to citizens who belonged or were attached to the said Burr party, and that these promises were made upon the "express condition and consideration of the said union of the said Clintonian and Burr parties, and in pursuance of the terms or articles of agreement aforesaid."

And the said defendant will further give in evidence as aforesaid, that at the time the said plaintiff wrote the last mentioned letter he well knew that there was no treaty containing such articles as stated in the

said letter, but that the said letter of the plaintiff was an artful device of the plaintiff.

And the said defendant will further give in evidence, as aforesaid, that on the 12th day of March, in the same year last aforesaid, the said John Swartwout, the defendant, and Peter Irving wrote, and sent to the said plaintiff, a letter, bearing date the same day and year last aforesaid, which is as follows :

New-York, March 12th, 1806.

SIR,

General Bailey has communicated to us your letter of the 3d inst. noticing the following reports—1st. Tha O. Phelps had told some gentlemen at Albany that he had been shown a treaty, the articles dictated by Mr. Burr, one of which was that Wm. P. Van Ness should be appointed secretary of state.

2d. That a paper, purporting to be a treaty of five articles, one of which was, that Mr. Burr, should be governor, had been transmitted to Mr. Eppes, the President's son-in-law.

Your letter suggests that frank and explicit declarations should be required from gentlemen of the Burr party.

We freely declare that we understand the conditions of the reconciliation to be a mutual oblivion of those animosities which have divided the republicans of this state into hostile parties, commonly called Burrite and Clintonian, and a re-union of those parties on terms of perfect equality.

Mr. O. Phelps disavows having received any information or advanced any assertion of the kind ascribed to him; he presumes the report to have originated in conversation with Mr. Nicholas at Albany, in which he may have repeated rumours he had heard.

The paper, if any shewn to Mr. Eppes, has doubtless been transmitted to Washington, by some enemy of the COALITION. The non-existence of any such treaty, is within your own knowledge.

We are confident that no friend to Mr. Burr would circulate a fabrication on the subject.

Having thus made the declarations required, we take the liberty of requesting *some in return*, equally frank and explicit.

Our friends have been assured that the meeting at Martling's, was the act of violent and misguided individuals; they have also been induced to look to Albany, where at present the different parties of the state are represented, and to expect that public and decisive

measures would be there taken, recognizing the union in terms satisfactory and honorable to both parties.

They have therefore overlooked the gross insult cast on Mr. Burr, and on themselves, in the resolutions there passed. We now understand that those proceedings and resolutions are sanctioned by yourself and your friends at Albany.

It is understood that you and they countenance a report that the exclusion of Mr. Burr is a condition of the reconciliation. We have on the contrary maintained that no such suggestion was made, no sentiment but of respect for Mr. Burr expressed by the gentlemen who acted in behalf of your party; and that in the early stages of the adjustment, the friends of Mr. Burr pointedly disclaimed any idea of the kind.

It is said that Col. Rutgers and other influential individuals of your party have declared themselves *pleased* with meetings at Dyde's and Martling's, because they would help to keep the Burrites down: and it is added, that letters to that effect have been recently written to you.

Our friends have relied on the sincerity and good faith of yourself and party. Aware that efforts would be made to excite jealousies and embarrassments, they have disregarded rumours, overlooked the expressions of individuals, and suppressed their indignation at the

proceedings of a public meeting. We are, however, perfectly willing to exchange frank and explicit declarations for the satisfaction of our respective friends. They appear *requisite* to remove existing disgusts and produce that cordiality of feeling, which can alone cement and confirm the REUNION.

It is proper to apprise you that we wish to communicate *your reply* to several of our friends, with a view to obviate erroneous impressions.

We are, Sir,

Your most obedient servants,

J. SWARTWOUT,

P. IRVING, M. L. D.

And the said defendant will further give in evidence as aforesaid, that the said plaintiff, afterwards, to wit, on the 20th day of the same month of March, received the said letter, and that the said plaintiff never returned any answer to the said letter, to the persons who had addressed the same to the said plaintiff, or to any or either of them. And the defendant will further give in evidence, that in the year of our Lord one thousand eight hundred and one, the plaintiff was a member of the Council of Appointment of the state of New-York, and that the said plaintiff while he was a member of the said council as aforesaid, did vote for turning out of office persons who were venerable patriots and war-worn soldiers, though the said persons had always faithfully and competently discharged the duties of their respective offices. And that the said plaintiff voted for the turning out of the said persons for no

Was it for *principle* the party assembled in full meeting at Mr. Martling's, and unanimously passed the following resolutions.

"*Resolved*, That it is inconsistent with the honour and dignity of the Republican party in this state, to enter into any bargain, treaty, or alliance with any other party whatever.

"*Resolved*, That it would not only be degrading to us, but injurious to the Republican interest, silently to submit to what any person, or persons, may attempt to do unauthorized by the great body of Republicans."

Is it from *principle* that the same party after patiently waiting nearly four years for the fulfilment of a solemn *pledge*, still permit the man who had entered, in their name, into a "coalition or reunion with the Burrites, derogatory to the honour and interest of the Republicans" to escape with impunity?

Is it from *principle*, that in derision of their own solemn proceedings, and in contempt of all moral and political virtue, they still acknowledge the "unauthorised contractor," as the *leader* of their *party*, and the rallying point of all that is orthodox in Democracy?

Is it from *principle*, that they refuse to make any effort whatever, to prevent De Witt Clinton from again becoming the CHIEF MAGISTRATE of this great

city; although his appointment to such a station would outrage all *decency*, *public shame* and *decorum?*

Is it from *principle*, that they still countenance a man, who, to promote his own ambitious designs, *dared* to *pledge* the funds of the *Manhattan Bank*, for the accommodation of a single individual, to the amount of *Eighteen Thousand Dollars*, and who, possessing the influence allowed him by the Republicans, together with his situation of Director, might by these means accumulate power in his own hands, sufficient in time, to subvert the very nature of our government, and destroy that *liberty* which every American should so highly prize?

If such be the PRINCIPLES, which now govern men, professing to be Republicans, it is important that the PEOPLE should become acquainted with them, that when hereafter called upon for their suffrages, they may know where to bestow them.

O TEMPORA! O MORES!